

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Adam Borgman on 8/1/08.

The application has been amended as follows:

In the Title:

Delete "And Systems".

In the Specification:

Insert at the bottom of page 5, the following:

--- Fig. 5 represents various components of the customizable beverage delivery system.

Fig. 6 represents another embodiment of said customizable beverage delivery system.

Fig. 7 shows the beverage selection of said customizable beverage delivery system.

Fig. 8 details a beverage customization system which displays information corresponding to the design of a customized beverage.

Fig. 9 represents a further embodiment of said customizable beverage

delivery system.

Figures 5-9 are further described with more detail:---

In the Claims

In claim 55, step (c), line 1, replace "the coffee extract" with -said stored coffee extract-.

Examiner's Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:

The prior art of record neither discloses nor teaches the invention as claimed wherein coffee is extracted and held for a particular range of time (between about 5 minutes and about 48 hours) such that the coffee extract is removed in such an amount to be filtered and diluted to create a first coffee beverage (with at least a second amount left for the preparation of a second coffee beverage). It should be noted that the prior art of record all relate to methods of preparing coffee beverages wherein the coffee extract which is brewed is not held with the coffee grounds for a particular period of time (about 5 minutes to 48 hours) prior to subsequent dilution, but directly prepared into beverages with no holding prior to any step of filtering or dilution. There is no motivation for providing such filtering and dilution after said specific holding step of the *brewed* extract with associated grounds. For added reasons, Applicant's response of 11/20/07 addresses these differences more specifically (see pages 8-11). Though these arguments were addressed in the last Office Action (mailed 12/31/07), the claims have been further amended to indicate that, after a specific holding step, only a portion of the *brewed* coffee extract is released for the further steps of filtering and diluting. It is clear

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that the prior art does not specifically disclose nor teach the brewing of a coffee extract, holding of the *brewed* extract in coffee grounds for a specific period of time, followed by release of some of said extract to filtration and dilution steps. There is no motivation to hold the *brewed* coffee extract prior to these latter steps and for the specific holding time claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Weier whose telephone number is 571-272-1409. The examiner can normally be reached on Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton Cano can be reached on 571-272-1398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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